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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Peter Strojnik,

10 Plaintiff,

11 v.

12 State Bar of Arizona,

13 Defendant.
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No. CV-19-02704-PHX-DJH

ORDER

15 This matter having recently come before the Court,


16 **IT IS ORDERED** that a motion pursuant to Federal Rule of Civil Procedure 12(b)
17 is discouraged if the defect can be cured by filing an amended pleading. Therefore, the
18 parties must meet and confer prior to the filing of a motion to dismiss to determine whether
19 it can be avoided. Consequently, motions to dismiss must be accompanied by a notice of
20 certification of conferral indicating that the parties have conferred to determine whether an
21 amendment could cure a deficient pleading and have been unable to agree that the pleading
22 is curable by a permissible amendment. In addition, parties shall endeavor not to oppose
23 motions to amend that are filed prior to the Rule 16 Scheduling Conference or within the
24 time set forth in the Rule 16 Scheduling Order. Motions to dismiss that do not contain the
25 required certification are subject to be stricken on the Court's motion.

26 **IT IS FURTHER ORDERED** that Plaintiff shall serve a copy of this order upon
27 Defendant and file notice of service.

28 **IT IS FURTHER ORDERED** directing any party appearing *pro se* to become

1 familiar with the Local Rules and the Federal Rules of Civil Procedure. Such parties are
2 advised of the free Self-Service Clinic at the courthouse. For information on the free clinic
3 and the Handbook for Self-Represented Litigants, visit the Court's internet site at:
4 www.azd.uscourts.gov. Proceed to the box entitled *Information for Those Proceeding*
5 *Without an Attorney* and then the link entitled *Federal Court Self-Service Clinic-Phoenix*.

6 Dated this 30th day of April, 2019.

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10 Honorable Diane J. Humetewa
11 United States District Judge
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